REMARKS/ARGUMENTS

Pending claims 1, 6, 19-24, 28 and 30 stand rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,141,762 (Nicol). Applicants respectfully traverse the rejection. As to claim 1, Nicol nowhere teaches transitioning a processor package to a target frequency where the frequency is a higher frequency if any of a number of utilization values determined for multiple processors is an up transition decision, and transitioning to a lower frequency if all of the utilization values are a down transition decision. In this regard, Nicol nowhere teaches transitioning to higher or lower frequencies based on up or down transition decisions. That is, · Nicol fails to teach up or down transition decisions whatsoever. Instead, in the system of Nicol an operating frequency for multiple processors is determined by first splitting tasks to be performed among the multiple processors and then changing frequency accordingly. Thus there are no up or down transition decisions made with respect to multiple processors, and then a target frequency for a processor package changed based on such up or down transition decisions. Certainly, Nicol nowhere teaches that a processor package is transitioned to a higher frequency if one utilization value is an up transition decision, nor transitioning to a lower frequency if all of the utilization values are a down transition decision. For at least these reasons, claim 1 and the · claims depending therefrom are patentable over Nicol.

Independent claim 11 has been amended to include the subject matter of claim 29, indicated to include allowable subject matter. Accordingly, it is respectfully submitted that claim 11 and the claims depending therefrom are patentable.

As to independent claim 19, Nicol nowhere teaches determining utilization values for multiple processors where the values are an up transition decision or a down transition decision for each of the processors. This is so, at least for the same reasons discussed above regarding claim 1 in that the system of Nicol nowhere makes up and down transition decisions for each of its processors. Accordingly, claim 19 and the claims depending therefrom are patentable.

As to independent claim 24, the Office Action fails to set forth any teaching in Nicol for a dynamic random access memory (DRAM). Instead, all that Nicol teaches is a integrated circuit, i.e., a multi-processor chip. This chip nowhere includes a DRAM. Nor does the Office Action point to any portion of Nicol that teaches aggregation of utilization values determined for multiple processors to obtain a target frequency at which to operate the processors based on the aggregated utilization values. Instead, as described above Nicol teaches a system in which tasks

6

are allocated to individual processors and then an operating frequency for the processors is determined accordingly. This however nowhere teaches determination of utilization values for multiple processors nor aggregation of such values to obtain a target frequency. For at least these reasons, claim 24 and the claims depending therefrom are patentable.
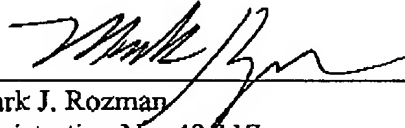
For at least the same reasons as the independent claims described above, the rejection of pending claims 9, 10 and 25-27 are also overcome. Furthermore, Applicants respectfully traverse the taking of Official Notice with regard to these claims. MPEP §2144.03.

New dependent claims 31-33 are patentable at least for the same reasons as claim 1 from which they depend.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

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7